

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of RAEANN WOLF, JAMIE WOLF,
TRINA WOLF, and JOSEPH WOLF, JR., Minors.

DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

JOSEPH WOLF, SR.,

Respondent-Appellant,

and

TANYA WOLF,

Respondent.

UNPUBLISHED

April 24, 2008

No. 281448

Dickinson Circuit Court

Family Division

LC No. 07-000500-NA

Before: Bandstra, P.J., and Fitzgerald and Markey, JJ.

MEMORANDUM.

Respondent father Joseph Wolf, Sr., appeals as of right the order of the trial court terminating his parental rights to his minor children pursuant to MCL 712A.19b(3)(g) and (j). We affirm. This appeal is being decided without oral argument pursuant to MCR 7.214(E).

Respondent challenges the trial court's findings that termination was warranted under these statutory subsections, contending that clear and convincing evidence does not exist on the record to support the findings. We disagree. We find no error in the trial court's finding that termination was warranted under subsection (3)(g) because respondent failed to provide proper care and custody for the children and was unlikely to be able to do so in the reasonable future. The record indicates that respondents had no housing and resisted petitioner's efforts to assist them. Respondent lost or quit each job obtained and refused to cooperate with the requirements necessary for financial assistance. While they were in respondents' care, the children were not properly fed, clothed, or supervised. Two of the children were underweight, none of the children were toilet trained, and the older children lacked verbal skills. The four children, all under the age of five, were routinely locked together in a bedroom for long periods without care or supervision. Childcare workers repeatedly insisted that the lock be removed from the door, but returned to discover that the lock had been replaced and that respondents refused to stop this

dangerous and cruel practice. Despite numerous services provided, respondent refused to provide financial support for the children and resisted all efforts to change his unsafe and inadequate parenting, thereby justifying termination under subsection (3)(j) as well. We therefore find no clear error in the trial court's findings that statutory grounds for termination were demonstrated by clear and convincing evidence. MCR 3.977(J); *In re Fried*, 266 Mich App 535, 540-541; 702 NW2d 192 (2005).

Based on the same clear and convincing evidence, we hold that the record also supports the trial court's finding that termination was not contrary to the best interests of the children. MCL 712A.19b(5); *In re Trejo*, 462 Mich 341, 354, 356-357; 612 NW2d 407 (2000).

Affirmed.

/s/ Richard A. Bandstra
/s/ E. Thomas Fitzgerald
/s/ Jane E. Markey